

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 19-cr-0263 (WMW)

Plaintiff,

ORDER

v.

Jesse Matthew Goldman,

Defendant.

This matter is before the Court on Defendant Jesse Matthew Goldman's motion for release from custody pending sentencing. (Dkt. 63.) The Court held a hearing on the matter on January 17, 2020 and has carefully reviewed Goldman's motion and the record in this case. For the reasons that follow, the Court denies Goldman's motion.

On December 5, 2019, Goldman pleaded guilty to Conspiracy to Distribute Heroin in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846. At the conclusion of the hearing, the Court remanded Goldman to the custody of the United States Marshals Service pursuant to the Mandatory Detention Act. 18 U.S.C. § 3143(a)(2). Goldman is subject to mandatory detention pending sentencing because the offense to which he pleaded guilty is prescribed in the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.* and carries a maximum term of imprisonment of ten years or more. *See* 18 U.S.C. § 3142(f)(1)(C) (incorporated by reference in 18 U.S.C. § 3143(a)(2)). A defendant subject to mandatory detention pending sentencing may be released only for "exceptional reasons." 18 U.S.C. § 3145(c). Goldman requested release at the guilty-plea hearing, but this Court found no

exceptional reasons as Goldman provided no legal or factual support for his request. Now, Goldman moves for release from detention because he has been recommended for inpatient treatment. He argues that he is not likely to flee and poses no danger to the community.

While inpatient treatment pending sentencing may be beneficial for Goldman, the Court concludes that the availability of such treatment is not an exceptional circumstance warranting release in this case. *See United States v. Little*, 485 F.3d 1210, 1211 (8th Cir. 2007) (per curiam) (recognizing that “exceptional” reasons that might warrant release under Section 3145(c) are reasons “clearly out of the ordinary, uncommon, or rare” (internal quotation marks omitted)).

Based on the foregoing analysis and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendant Jesse Matthew Goldman’s motion for release, (Dkt. 63), is **DENIED**.

Dated: January 23, 2020

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge